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RAILROADS WIN IN LIQUOR SUITS

STATE CANNOT PREVENT INTER-STATE SHIPMENTS OF WHISKY—SUPREME COURT DECISIONS.

The right of railroads to handle interstate commerce shipments of liquor even to persons whom the shipper knows intend to use the shipments to violate the law, was again sustained by the supreme court Tuesday, in an opinion by Justice Williams, denying the right of the state to enjoin such shipments and reversing the decision of the district court of Oklahoma county in the case of the state ex rel. Fred S. Caldwell vs. Gulf, Colorado & Santa Fe Railroad Co., with instructions to dismiss the case.

Another opinion of especial interest to public service corporations is the holding of the court that in the absence of a statute, damages are not recoverable for mental distress alone, caused by negligent delay in delivering a telegram. This ruling was handed down by Justice Dunn in the case of the Western Union Telegraph company vs. John Chouteau from Craig county, which is reversed and remanded. Several efforts have been made to pass "mental anguish" acts in the Oklahoma legislature, but so far without success.

The validity of the fee and salary law passed by the 1910 legislature was sustained by the supreme court Tuesday in two cases. The case of Pottawatomie county vs. E. D. Reaser, county judge of that county, involving the matter of turning into the county treasury fees received by the county judge for performing marriage ceremonies, was reversed and remanded in an opinion by Justice Hayes. The case was decided in favor of Reaser in the lower court on the ground that the law was unconstitutional as embracing more than one subject. That holding is overruled by the higher court.

The case of E. D. Jefferson vs. Robert Toomer, clerk of the superior court of Muskogee county, involving the fees of that office, was reversed in an opinion by Justice Kane on similar grounds.

Election Board Wins.

That an election board in this state is quasi-judicial in its character and not subject to mandamus is the holding of the court in affirming the case of Henry H. Montgomery vs. The State Election Board, from Osage county. Because of certain irregularities in the returns Montgomery, who was the republican candidate for district judge in the twenty-fourth district, brought mandamus proceedings to compel the board to issue a certificate of election to him, instead of to

his democratic opponent, R. H. Hudson, who was elected on the face of the returns. The holding of the court confirms Hudson in his seat. The opinion is by Judge Dunn.

Under the recent holding of the criminal court of appeals that prosecutions for violating the prohibitory law can be maintained in a municipal court, the supreme court in an opinion by Judge Williams, denied the writ of prohibition asked by Tom Herndon against D. P. Hammond, judge of the municipal court at McAlester.

That no appeal will lie from an order of the corporation commission opening up streets or highways across railroad tracks or regulating the character of crossing to be installed in the holding of the supreme court in dismissing three appeals of that character Tuesday. The appeals were those of the Santa Fe in complaints brought by John Zimmerman and J. R. Dean, respectively, the latter involving the opening of streets at Woodward which were dismissed in opinions by Justice Kane, and the appeal of the Frisco from the order in the case brought by Lann Lane township, decided by Justice Hayes.

The case of A. V. Stupp vs. The Wichita Falls & Northwestern, in which the commission refused to order a flag station at Willow, is reversed and remanded with instructions to make such an order. The order requiring the Katy to put in a flag station at Craig Switch is affirmed, and that requiring the Frisco to put in a switch at the gin of A. A. Zalondek in South Cold Springs is reversed and remanded. The Tahlequah depot case is remanded for further investigation by the commission as to what material should be employed. All these opinions are by Justice Williams.

Bond Issue Valid.

The validity of the bond issue of \$150,000 for fire station and \$15,000 for street cleaning apparatus voted by the people of Oklahoma City and Elmer C. Trueblood vs. the State ex rel. R. J. Edwards, which was submitted and heard Tuesday was sustained in the case of the city and the judgment of the lower court affirmed. The principal question involved was whether or not the two objects for which these bonds were issued were public utilities. The court decides that they are. The suit was a friendly one brought by R. J. Edwards, who had purchased the bonds, to compel their delivery by the city. The opinion in the case was by Justice Kane.

Another case of especial interest here is that of John R. Hughes vs. A. V. Snell, H. L. Paddock and John Sherman, Jr., in which the court holds that acts in violation of a city ordinance which are not wrong in themselves do not invalidate transactions with which they are connected. An ordinance was passed in this city imposing an occupation tax upon real estate agents and making it unlawful for them to conduct business without paying such tax. The plaintiff in error in this case refused to pay a commission on a sale made by the defendants because they had not paid their tax. The district court held that that fact constituted no defense against payment and that holding is affirmed by the supreme court in an opinion by Justice Dunn—Oklahoman.

TO CURE A COLD IN ONE DAY

Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVES' signature is on each box. 25c.

It Anchored Seven Men.

Two large wrought iron anchors which have been lying at Cruces, on the canal zone, for two hundred years, will be sent to the United States military academy at West Point, where they will probably be mounted above the entrance to the academy library, says a Washington dispatch to the New York Evening Sun.

There is a legend which says that the anchors were brought up the Chagres river in boats and unloaded at Cruces for transport overland to Panama. Forty men were carrying an anchor when one of them stumbled and fell. The others were unable to stand the weight and the anchor fell, crushing seven of them. The point at which the anchor now rests is called Matasiete, which is Spanish for "Kill Seven."

The idea of removing the anchors to West Point originated with Lieut. Walter D. Smith, class of 1901, at the military academy, and the work of taking them to the railroad was assigned to him.

Do Ghosts Haunt Swamps?

No. Never. It's foolish to fear a fancied evil when there are real and deadly perils to guard against in swamps and marshes, bays and lowlands. These are the malaria germs that cause ague, chills and fever, weakness, aches in the bones and muscles and may induce deadly typhoid. But Electric Bitters destroys and casts out these vicious germs from the blood. "Three bottles drove all the malaria from my system," wrote Wm. Fretwell, of Lucama, N. C., and I've had fine health ever since." Use this safe, sure remedy only. 50c at Ringer Drug Co.

RODE THE RODS TO SAVE TIME

CARTER COUNTY'S LEGISLATOR JUMPED A THROUGH FREIGHT AT WRONG TIME.

"How I rode the rods; or the experience of Joe Ben on the bumpers," is a new serial story that will likely appear in some of the magazines in the near future. The foundation for such a story happened yesterday when Hon. J. B. Champion of this city, who is familiarly known to his friends as Joe Ben, made a trip to Marietta, where he had some legal business to attend to. He went down at noon and in a few hours had finished his business affairs and was very anxious to come home. There being no passenger train until midnight, some one suggested that he catch a freight train. Joe Ben was profuse in his thanks to the friend that suggested this and swung on to the first freight that came through. This happened to be a through freight, and as they were going at a rather rapid pace, Joe Ben could not select his place to catch on, but landed on the first place that he could, a little platform at the rear of the caboose.

With barely enough room to stand on and only a small iron rod to support himself, he started on the trip as he thought, to Ardmore. He says that the sun was beaming down with all its fury and that a real cyclone of dust and dirt was pouring into his face. Each minute seemed like an hour, and he was wondering if he could last until Ardmore was reached. Imagine his agony, if you can, when they passed Ardmore going at a rapid rate. This was too much for Joe Ben and he began to yell for help. The train crew went to his rescue and he was hauled inside. His first question was where does this train stop. On being told by the conductor that the first stop was Kansas City, Joe Ben fainted, and when he revived it was with difficulty that he was prevented from jumping from the train, as he stated that he only had thirty cents and did not want to walk home from Kansas. The engineer stopped at Dougherty for water and Joe Ben was the first man off the train. He spent the night there coming to Ardmore on the early train this morning. Never again a freight train for me, said Joe Ben in the future I will wait for the passenger and if I can't do that I will count the ties.

It Startled the World when the astounding claims were first made for Bucklen's Arnica Salve, but forty years of wonderful cures have proved them true, and everywhere it is now known as the best salve on earth for Burns, Boils, Scalds, Sores, Cuts, Bruises, Sprains, Swellings, Eczema, Chapped hands, Fever Sores and Piles. Only 25c at Ringer Drug Co.

Happy, Happy, Use TIZ

A Marvel For Sore Feet. Acts Right Off.



Sore Feet? Never After Using TIZ—Good-bye sore feet, aching feet, swollen feet, sweaty feet, smelly feet, tired feet.

Good-bye corns, callouses and bunions and raw spots. You've never tried anything like TIZ before for your feet. It is different from anything ever before sold.

It acts at once and makes the feet feel remarkably fresh and soreproof. TIZ is not a powder. Powders and other foot remedies clog up the pores. TIZ draws out all poisonous exudations which bring on soreness of the feet, and is the only remedy that does. TIZ cleans out every pore and glorifies the feet—your feet.

You'll never limp again or draw up your face in pain, and you'll forget about your corns, bunions and callouses. You'll feel like a new person.

If you don't find all this true after trying a box of TIZ, you can get your money right back.

TIZ is for sale at all druggists at 25 cents per box, or it will be sent you direct if you wish from Walter Luther Dodge & Co., Chicago, Ill.

Headaches

Impair Mental Faculties and should not be allowed to become chronic. Whether caused by heat or cold, stomach disorders or nervousness.

Hicks' CAPUDINE

is the best remedy to take. It's liquid—effects immediate—pleasant to take. 10c, 25c and 50c at drug stores.

GAINESVILLE CLUB TO BE DISSOLVED

PERMANENT INJUNCTION ISSUED AGAINST CLUB FOR NONCOMPLIANCE WITH CHARTER.

There will no longer be a Gainesville Club in this city. Such was the decision of Judge Clem B. Potter today.

The case of the state of Texas vs. the so-called Gainesville Club, was taken up yesterday afternoon, the state attempting to recall the charter which had been issued to such club, alleging that it had been following pursuits not specified by the charter, and to collect an occupation tax of \$4,000 for the club being a place where deposits of intoxicating liquor were kept for others. The evidence and arguments were finished this morning, having been begun yesterday afternoon, and at two o'clock this afternoon Judge Potter rendered the above decision.

Judge Potter found for the defendants, on the question of occupation tax, that it is not liable for the \$4,000.

He held for the state in all other propositions, granting a permanent injunction against the Gainesville Club and its officers and also the amount of the costs of suit against the club.

County Attorney Rogers was asked if this ruling would affect the Vorwaerts Club, and he said that it would not, because it was chartered under different specifications, but that the trial of the state's case against the Vorwaerts would likely be taken up this afternoon, as the state had already announced ready.

It is expected that the state will have a harder fight against the Vorwaerts than against the Gainesville Club—Gainesville Register.

WOMEN ENTER POLITICS.

Mass Meeting in Muskogee Endorses Cook Who is Under Fire.

Muskogee, Okla., May 10.—A mass meeting, women exclusively, attended by over 100, among whom were some of the fashionable society set, was held here Tuesday afternoon, the purpose being to take a stand on better city government.

The women passed a resolution endorsing Ernest Cook, commissioner of public safety, now under fire on a charge of nepotism, for stopping gambling and bootlegging in Muskogee. They also went on record for shutting up the Sunday theaters and moving picture shows.

They will meet again and form a permanent organization for the purpose of making their influence felt in city affairs, and they do not propose to confine themselves to civic improvements as usually understood. They are going to take a hand in the active administration of the city's business affairs.

\$10 Cash Prize.

To the person sending us the best photograph showing a farm, orchard, or ranch scene in Carter county by the 20th day of May, we will give a cash prize of \$10. All contestants who submit photographs are to agree that their photos shall become the property of the Exchange for use in the Home-Suckers Edition of the Ardmoreite to be issued early in June.

Send or bring the photographs to N. H. McCoy, Secretary Ardmore and Carter County Real Estate Exchange, Ardmore, Okla.

Aged Minister Kills Wife.

Murphysboro, Ill., May 10.—Charging his wife with infidelity, the Rev. James Freeman, residing at Murphysboro, followed his wife into the cellar of their home and cut her throat, death occurring almost instantly. Freeman is 76 years old and his wife 36 years old.

Mystery in Indian's Death.

Fort Smith, Ark., May 10.—The body of George Sapsucker, a Cherokee Indian about 20 years of age, was found near Grove, Okla., Tuesday, with two bullet holes in his head and one in his breast, and there are unmistakable signs of murder. Jack Budd, a neighbor of Sapsucker, was arrested as a suspect.

ELECTION IN OKLAHOMA CITY

ENTIRE DEMOCRATIC TICKET IS ELECTED WITH ONE EXCEPTION—BIG SOCIALIST VOTE.

By pluralities ranging from 510 to 978, the entire democratic ticket, with the exception of one candidate for officials under the charter of Oklahoma City was elected Tuesday, the plurality of Whit M. Grant over J. F. Warren for mayor being 510. With Grant, J. T. Highley, democratic candidate for commissioner of public property, and Elmer C. Trueblood, democratic candidate for commissioner of accounting and finance, were elected.

Guy Blackwelder, republican candidate for commissioner of public works, was elected over John S. Alexander, democratic candidate, by a plurality of 217 votes. The feature of the campaign was the landslide toward the election of the socialist candidates. They received total votes from 1,400 to 1,600 each, as against a vote of 389 in the last general election. Oscar Ameringer, candidate for mayor, led his ticket. In many precincts in the south part of the city and in Capitol Hill the socialists secured more votes than either of the other two tickets.

The election of the democratic ticket was predicted before the polls opened by a plurality over the republican ticket of 1,000, but at noon Tuesday, this had been reduced to 500, and it stayed at that figure until the returns were in. The large vote of the socialists surprised politicians. It was claimed for awhile that this would elect the republican ticket. It turned out, however, that about two-thirds of the socialist votes were drawn from the democrats and one-third from the republicans.

The election of Blackwelder over Alexander came as a surprise to democratic leaders, and it is attributed to the great personal popularity of the former. He has lived in Oklahoma City since "the opening" in 1889, and always has been popular in the city. The vote for this place was close at all times and Blackwelder's election was not conceded by Alexander until the last precincts were in—Oklahoman.

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Walding, Kinnan & Marvin, Wholesale Druggists, Toledo, O. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system. Testimonials sent free. Price 75 cents.

Take Hall's Family Pills for constipation.

ADVERSE MAJORITY OF 4,894.

Official Figures on Proposed Constitutional Amendment.

Oklahoma City, Okla., May 10.—The proposed legislative substitute for Sec. 9, Art. IX, of the constitution, submitted to a vote of the people April 25, was defeated by 4,894 majority, according to official returns certified to the governor's office tonight. The last count to come in was Osage, which gave 458 for the amendment and 96 against it. Revised figures from Comanche county were 1,720 for and 714 against the amendment. No election was held in Delaware, McCurtain or Seminole counties, and forty precincts in Osage and a large number in LeFlore did not vote. The total vote was: For the amendment 41,768, against the amendment 46,662.

Want Battleship "Oklahoma."

Guthrie, Okla., May 10.—Word was received here today that Lieutenant Commander Bart Barnes, U. S. N., son of former Governor Cash Barnes, of Guthrie, has been transferred from the West Virginia, where he was chief engineer, to the Colorado, as navigation officer, this being the last requirement before he becomes eligible to command a vessel. Oklahoma congressmen are urging at Washington that one of the new vessels be christened "Oklahoma," in order that Barnes, an Oklahoman, may become its commander.

Pastor Arrested on Strange Charge.

Tulsa, Okla., May 10.—Charged with having wrongfully performed a marriage ceremony, H. C. Nelson, a Broken Arrow preacher, was bound over Tuesday to the district court, and in default of bond was committed to jail. The specific charge against him is that of changing the name of Roxie Roberts on the marriage license to Roxie Anderson. This is the first case of the kind on record in the state of Oklahoma.

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